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May 9, 1991

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Office of Regional Counsel
841 Chestnut Building
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Ms. Donna McCartney (38W21)
U.S. Environmental Protection Agency
SE Pennsylvania Remedial Section
841 Chestnut Building
Philadelphia, PA 19107

**RE: Walsh Landfill Site
Docket No. III-91-30-DC**

Dear Ms. Nadolski and Ms. McCartney:

Please allow this letter to acknowledge receipt of Ms. McCartney's letter of May 2, 1991, confirming the two modifications to the above-referenced Administrative Order. This letter will acknowledge our agreement with the modifications as set forth in that correspondence.

In addition, this letter will set forth several other agreements which were achieved at our meeting of April 25, 1991. Initially, EPA was advised that our client, Ernest Barkman, has agreed to comply with the requirements set forth in the Administrative Order concerning the preparation and implementation of a work plan for the removal of certain materials presently located on the site. Mr. Barkman has retained American Resource Consultants, Inc. (ARC), for the purpose of preparing an appropriate work plan. It was agreed at the meeting that a draft work plan would be submitted by ARC to EPA on or before May 28, 1991. EPA had agreed to provide ARC with a sample work plan which has been approved by EPA setting forth similar activities at another site.

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Cynthia Nadoiski, Esquire
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It was discussed that the work plan would envision two phases of removal: the first relating to the back portion of the site, and the second relating to the front of the site where Mr. Barkman's current sorting operation is conducted. EPA also has requested a time frame for abandonment of the garage building, as would be required under the Record of Decision.

It was also agreed that the health and safety plan required by the Administrative Order could be prepared on a common sense-approach basis. Finally, it was agreed that any removal of materials from the site prior to approval of the proposed work plan by EPA is not governed by the Administrative Order. Specifically, any removal conducted or completed by Mr. Barkman prior to submission and approval of the work plan is not subject to the terms thereof, and is not governed by the provisions of the Administrative Order relating to removal and salvage pursuant to the work plan.

I believe that the foregoing fully sets forth the matters discussed and agreed upon at our meeting. Naturally, if you have any questions or comments, please feel free to contact me.

Very truly yours,

CLARK, LADNER, FORTENBAUGH & YOUNG



DOUGLAS J. SMILLIE

DJS:th
cc: Mr. Ernest Barkman

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